(2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION NO. 797 OF 2001

PETITIONERS :

1. Kum.Munni Kujur, Daughter of late Sukhlal, aged about 32 years, occupation: Teacher, resident of village Silma, Post Sédam, Vikas Khand, Batauli, district Ambikapur (Chhattisgarh).

2. Kum.Suganti Tigga, Daughter of Dirasai, aged about 31 years, occupation: Teacher, resident of Devri, Post Batauli, Vikas Khand, Batauli, dist: Ambikapur(C.G)

Vs.

RESPONDENTS :

1. The State of Chhattisgarh : Through: Secretary, School Education Department, D.K.Bhawan, Raipur (Chhattisgarh).

2. Education Programme Officer, Rajiv Gandhi Shiksha Mission, dist.Ambikapur (C.G.)

3. Chief Executive Officer, Janpath Panchayat, Batauli, dist. Ambikapur (C.G).

4. Sarpanch, village Panchayat, Devri in Janpath Panchayat Batauli, dist.Ambikapur (C.G).

5. Sarpanch, village Panchayat, Silma in Janpath Panchayat Batauli, dist.Ambikapur (C.G).

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE

CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(61)

आदेश पत्रक

मामला क्रमांक W.P.No.1787/2001 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	8/11/2001	

Smt. Anju Ahuja, learned counsel for the petitioners.

Shri Gautam Bhadhuri, learned G.A. for the State.

Heard.

O R D E R

Return has been filed. It appears ~~the fact~~ that the writ petitioners had rendered services till April, 2000. The petitioners were given appointmentat monthly salary of Rs.500/- This was done under Rajeev Gandhi Shiksha Guarantee Yojana. This scheme was to serve in urban as well as in tribal/rural areas. Teacher/student ratio under the Scheme was 40: 1 in urban area and 25:1 in rural/tribal area. Though the petitioners were given appointment in the month of May 1997, payment was highly irregular. Even for the year 1998, payment was given only some-time in the month of September,2001. As no salary was paid for sucha long period, petitioners could not continue, hence they served upto April, 2001 and discontinued. Thereafter this petition was filed demanding payment of arrears of salary for the period from April,1999 to April 2000. It is most unfortunate that payment whether big or small should not have been released to the teachers, who rendered services to the respective schools regularly.

[पीछे देखिये

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

This indefinite delay in payment of salary is not warranted under any circumstances. Such method of employment actually should be discontinued. After-all people work to earn livelihood. They ought to be paid regularly though there might be some delay here and there. Delay cannot be inordinate in respect of payment of wages/salaries. In the present case learned counsel for the petitioners has right in saying that the petitioners could not continue to serve without receiving payment of salary for such long period. According to Smt. Anju Ahuja, the petitioners are otherwise eligible being Matriculates to hold the post of Primary School Teachers (Gurujis). In the facts and circumstances narrated above, this petition is disposed of as follows:

Respondents shall release the arrears of payment and allowances to the writ petitioners for the period from 1999 to April, 2000 within a period of one month from today the date of receipt of this order. I also allow cost of Rs.5000/- payable to the petitioners. It is stated that one teacher who is in a similarly situated, was paid salary @ Rs.1000/- from April 1998 to April 1999. This aspect would be taken into consideration by the Competent Authority before salary is released.

I may also state here that if the petitioners are eligible to hold the post of Gurujis, it is still open to the Competent Authority to consider giving the employment to the writ petitioners.

~~C.C. as per rules.~~

Sd/-
Chief Justice

GRPRJ—FS/311—1/2001—50,000.